

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAMES SEABA, et al.,

Plaintiffs,

vs.

Civ. No. 02-103 LH/WWD

MESOSYSTEMS TECHNOLOGY, INC.,

Defendant.

ORDER

This matter comes before the Court *sua sponte* after a status conference was held December 6, 2002. The Initial Pretrial Report deadlines shall be extended as follows:

The termination date for discovery is MAY 2, 2003, and discovery shall not be reopened, except by an order of the Court upon a showing of good cause. This deadline shall be construed to require that discovery be completed on or before the above date. Service of interrogatories or requests for production shall be considered timely only if the responses are due prior to the deadline. A notice to take deposition shall be considered timely only if the deposition takes place prior to the deadline. The pendency of dispositive motions shall not stay discovery.

Motions relating to discovery (including, but not limited to, motion to compel and motions for protective order) shall be filed with the Court and served on opposing parties by MAY 12, 2003; responses shall be filed with the Court and served on opposing parties by MAY 27, 2003; and replies, if any, shall be filed with the Court and served on opposing parties by JUNE 10, 2003. See D.N.M. LR-Civ. 7. This deadline shall not be construed to extend the twenty-day time limit in D.N.M. LR-

Civ. 26.6.

Plaintiffs shall identify to all parties in writing any expert witness to be used by Plaintiffs at trial and to provide expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B) no later than FEBRUARY 3, 2003. All other parties shall identify in writing any expert witness to be used by such parties at trial and to provide expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B) no later than MARCH 5, 2003.

Pretrial motions, other than discovery motions, shall be filed with the Court and served on opposing party by JUNE 19, 2003; the response shall be filed with the Court and served on opposing party by JULY 3, 2003; and the reply, if any, shall be filed with the Court and served on opposing party by JULY 17, 2003. Any pretrial motions, other than discovery motions, filed after the above dates shall be considered untimely in the discretion of the Court.

Counsel are directed to file a consolidated final Pretrial Order as follows: Plaintiffs to Defendant by AUGUST 25, 2003; Defendant to Court by SEPTEMBER 4, 2003.

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE